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Art Unit: **UNKNOWN**

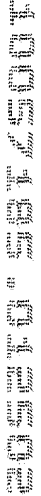
Signature

## SPECIFICATION

Please amend page 1, paragraph 1 as follows:

This application is a divisional of U.S. Application Serial No. 09/616,951. This application is also related to Serial No. 09/298,122, "Metal-Insulator-Metal Capacitor for Copper Damascene Process and Method of Forming the Same," filed April 23, 1999, and incorporated herein by reference.

## CLAIMS

- 
1. (canceled)
  2. (canceled)
  3. (canceled)
  4. (canceled)
  5. (canceled)
  6. (canceled)
  7. (canceled)
  8. (canceled)

9. (amended) A method of fabricating a capacitor structure, said method comprising:
  - forming a bottom plate;
  - forming a dielectric layer overlaying the bottom plate;
  - forming over the dielectric layer a top plate having a smaller area than said bottom plate, said top plate having a perimeter;
  - forming at least one insulating sidewall spacer placed against said perimeter of said top plate and overlaying a portion of said dielectric layer.

1 10. (unchanged) The method of Claim 9, and further comprising:  
2 prior to forming said at least one insulating sidewall spacer, etching said top plate to expose said  
3 dielectric at said perimeter of said top plate.

1 11. (unchanged) The method of Claim 9, wherein:  
2 said method further comprises forming a conductor embedded in a substrate; and  
3 forming the bottom plate comprises forming the bottom plate overlaying the conductor.

1 12. (unchanged) The method of Claim 11, wherein forming a conductor comprises forming a copper  
2 damascene structure.

1 13. (unchanged) The method of Claim 11, wherein forming said bottom plate comprises forming a  
2 conductive barrier layer in contact with said conductor.

1 14. (unchanged) The method of Claim 9, wherein each of said steps of forming a bottom plate and forming  
2 a top plate comprises forming a metal plate.

1 15. (unchanged) The method of Claim 9, wherein forming the dielectric layer comprises forming a silicon  
2 dioxide layer.

1 16. (unchanged) The method of Claim 9, and further comprising forming an insulating cap overlaying said  
2 top plate.

1 17. (amended) The method of Claim 16, wherein said insulating cap has a perimeter coextensive with said  
2 top plate, and wherein forming said at least one insulating sidewall spacer comprising forming said at least  
3 one insulating sidewall spacer against said perimeter of said insulating cap.

1 18. (newly entered) The method of Claim 9, wherein forming at least one insulating sidewall spacer  
2 comprises forming at least one insulating sidewall spacer on a top surface of the dielectric layer.

1 19. (newly entered) The method of Claim 18, wherein forming at least one insulating sidewall spacer  
2 comprises forming at least one insulating sidewall spacer overlaying a portion of said bottom plate.

1 20. (newly entered) The method of Claim 9, and further comprising:  
2 forming a copper damascene conductor in a substrate underlying said bottom plate.

## REMARKS

This Preliminary Amendment is submitted in furtherance of the prosecution of the accompanying divisional application, which is directed to the non-elected claims subjected to a restriction requirement in U.S. Patent Application Serial No. 09/616,951.

The present Preliminary Amendment proposes amendments to the specification to supply the serial numbers of the parent application and the cross-referenced related application. The proposed amendments do not contain any new matter. In addition, the present Preliminary Amendment cancels Claims 1-8, amends Claims 9 and 17, and enters Claims 18-20. Thus, Claims 9-20 are now pending.

No additional fee is believed to be required; however, in the event any additional fees are required, please charge IBM Corporation Deposit Account No. **09-0456**.

Respectfully submitted,



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## **REDACTED SPECIFICATION**

Please amend page 1, paragraph 1 as follows:

This application is a divisional of U.S. Application Serial No. 09/616,951. This application is also  
related to Serial No. 09/298,122 [ \_\_\_/\_\_\_\_ (Docket No. BU9-98-155)], “Metal-Insulator-Metal  
Capacitor for Copper Damascene Process and Method of Forming the Same,” filed April 23, 1999, and  
incorporated herein by reference.

## **REDACTED CLAIMS**

1. (canceled)
2. (canceled)
3. (canceled)
4. (canceled)
5. (canceled)
6. (canceled)
7. (canceled)
8. (canceled)

9. (amended) A method of fabricating a capacitor structure, said method comprising:
  - forming a bottom plate;
  - forming a dielectric layer overlaying the bottom plate;
  - forming [a top plate] over the dielectric layer a top plate having a smaller area than said bottom plate, said top plate having a perimeter;
  - forming at least one insulating sidewall spacer placed against said perimeter of said top plate and overlaying a portion of said dielectric layer.

1 10. (unchanged) The method of Claim 9, and further comprising:  
2 prior to forming said at least one insulating sidewall spacer, etching said top plate to expose said  
3 dielectric at said perimeter of said top plate.

1 11. (unchanged) The method of Claim 9, wherein:  
2 said method further comprises forming a conductor embedded in a substrate; and  
3 forming the bottom plate comprises forming the bottom plate overlaying the conductor.

1 12. (unchanged) The method of Claim 11, wherein forming a conductor comprises forming a copper  
2 damascene structure.

1 13. (unchanged) The method of Claim 11, wherein forming said bottom plate comprises forming a  
2 conductive barrier layer in contact with said conductor.

1 14. (unchanged) The method of Claim 9, wherein each of said steps of forming a bottom plate and forming  
2 a top plate comprises forming a metal plate.

1 15. (unchanged) The method of Claim 9, wherein forming the dielectric layer comprises forming a silicon  
2 dioxide layer.

1 16. (unchanged) The method of Claim 9, and further comprising forming an insulating cap overlaying said  
2 top plate.

1 17. (amended) The method of Claim 16, wherein said insulating cap has a [corresponding] perimeter [to]  
2 coextensive with said top plate, and wherein forming said at least one insulating sidewall spacer comprising  
3 forming said at least one insulating sidewall spacer against said perimeter of said insulating cap.

1 18. (newly entered) The method of Claim 9, wherein forming at least one insulating sidewall spacer  
2 comprises forming at least one insulating sidewall spacer on a top surface of the dielectric layer.

1 19. (newly entered) The method of Claim 18, wherein forming at least one insulating sidewall spacer  
2 comprises forming at least one insulating sidewall spacer overlaying a portion of said bottom plate.

1 20. (newly entered) The method of Claim 9, and further comprising:  
2 forming a copper damascene conductor in a substrate underlying said bottom plate.